

# The Articles (*at large*) Preliminary to the Treaties of a General Peace.

**A** Good, firm, and lasting Peace, Confederacy, and perpetual Alliance and Amity, shall be forthwith created and established, between his Imperial Majesty, with all and each of his Imperial Majesty's Allies, (principally the Kingdom of Great-Britain and the Lords the States General of the United Provinces) on the one Part, and his most Christian Majesty with his Allies on the other Part. And seeing the present Conjunctions have not permitted his Imperial Majesty to take previously the Approbation and Consent of the Empire, upon all that relates to it in several Articles contain'd in these Preliminaries, His Imperial Majesty shall endeavour to procure according to the Usage established in the Empire, as soon as possible, the Consent and Ratification of the Empire, before the Execution of the Articles which particularly concern the Empire.

2. And to attain this good End speedily, and to enjoy it as much as possible from this Time, Preliminary Articles are agreed, to serve for a Foundation of the Treaties of a general Peace.

3. First, In Consideration and in Consequence of the said good Peace and sincere Union of all the Parties, the most Christian King shall from this time acknowledge publicly and authentically, as also afterwards in the Treaties of Peace to be made. King Charles the Third, in the Quality of King of Spain, the Indies, Naples, and Sicily, and generally of all the Territories dependant, and comprehended under the Name of the Monarchy of Spain, in what Part of the World soever situate; (except what is to be given to the Crown of Portugal and the Duke of Savoy, pursuant to the Treaties between the High Allies, and the Barrier in the Netherlands, which the said King Charles III. is to put into the Hands of the said Lords the States-General of the United Provinces, agreeably to the Tenour of the Grand Alliance in the Year 1701. except also what shall be hereafter mention'd touching the Upper Quarter of Gelderland, and also except the Agreements yet to be made with the said King Charles

III. without excepting any thing more,) Together with all the Rights which the late King Charles II. did possess, or ought to have possess'd, as well for himself as his Heirs and Successors according to the Will of Philip IV, and the Compacts established and received in the most Serene House of Austria.

4. And forasmuch as the Duke of Anjou is at present in Possession of a great Part of the Kingdoms of Spain, the Coast of Tuscany, the Indies, and part of the Netherlands, 'tis reciprocally agreed, that for the sure Execution of the said Articles, and of the Treaties of Peace to be made, the said Treaties shall be finished within the Term of Months, to begin from the *W 2* 10 if possible: During which Time his most Christian Majesty shall so order it, that the Kingdom of Sicily shall be put into the Possession of his Catholick Majesty Charles III. And the said Duke shall depart in full safety and freedom out of the Limits of the Kingdoms of Spain, with his Consort, the Princes his Children, their Effects, and generally all Persons who are willing to follow them: And if before the said Term expire the said Duke of Anjou do not consent to the Execution of the present Agreement, the most Christian King, the stipulating Princes and States, shall by Concert take proper Measures that it may have intire Effect, and that all Europe may by the full Performance of the said Treaties of Peace speedily enjoy perfect Tranquility.

5. To facilitate the Establishment of that Tranquility, his most Christian Majesty shall within the Term of Months, withdraw the Troops and Officers he now has in Spain, and also those he has in the Kingdom of Sicily, as well as in the other Countries and Territories depending on the said Monarchy in Europe, and from the Indies, as soon as possible, promising on the Faith and Honour of a King not to send henceforward to the Duke of Anjou, (if he refuse to acquiesce with this,) or to his Adherents, any Succours, whether of Troops, Artillery, Ammunition, or Money, directly or indirectly.

6. The

6. The Monarchy of Spain shall remain entire in the House of Austria in the Manner above mention'd. None of its parts shall be dismember'd; neither shall the said Monarchy, in Whole, or in part, be united to that of France; nor shall one and the same King, or a Prince of the House, of France, ever become Sovereign thereof, in any Manner whatsoever, either by Will, Legacy, Succession, Marriage Compact, Donation, Sale, Contract, or any other Way whatever: No King, who shall reign in France, nor any Prince of the House of France, shall ever reign in Spain, or acquire within the Extent of the said Monarchy any Towns, Forts, Places, or Countries, in any part of it, especially in the Netherlands, by Vertue of any Donation, Sale, Exchange, Marriage Compact, Inheritance, Legacy, Succession by a Will, or in Default of a Will, in whatever Kind or Manner, soever, either for himself, or for the Princes his Sons or Brothers, or their Heirs and Descendants.

7. Particularly and especially, France shall never become possess'd of the Spanish Indies, nor send Ships thither to exercise Commerce under any pretext whatever.

8. His most Christian Majesty being willing to give sure Proofs of the Intention he has to maintain a firm and lasting Peace, and to put an End to all Umbrage of his Designs, consents to deliver up to his Imperial Majesty and the Empire the City and Citadel of Strasbourg, in the Condition they are now in, with the Fort of Kehl and its Dependancies and Appurtenances situate on either side the Rhine, without any demand or cost of Expences under what Pretext soever, with 100 pieces of Brass Cannon of different sizes; that is to say, 50 Pieces, some Twenty-four, some Twelve Pounders; and 50 pieces, some of Eight, some of Four pound Ball, and Ammunition in Proportion; to be re-establish'd in the Rank, Privileges, and Priviledges, of an Imperial City, which it enjoy'd before it came under the Dominion of his most Christian Majesty; which said City of Strasbourg, and its Forts, shall be de-

liver'd up and evacuated immediately after the Ratifications of the Emperor and Empire shall be exchanged at the Hague; and on the Appearance at the Gates of the City and Forts of Strasbourg, or some person authoriz'd by a full power from his Imperial Majesty and the Empire, in the usual Form, to take possession of them.

9. That the Town of Brisac, with its Territory shall be evacuated by his most Christian Majesty, and by him restored to his Imperial Majesty and the House of Austria, with all the Cannon, Artillery, and Stores of War that shall be found in it, by the end of \_\_\_\_\_ at furthest, to be henceforward enjoy'd by his Imperial Majesty as his own propriety, so as his Imperial Majesty has enjoy'd, and ought to have enjoy'd, it in Execution of the Treaty of peace concluded at Ryswick, with the Cannon, Artillery, and Warlike Stores, now in it.

10. His most Christian Majesty shall from henceforward possess Alsace in the literal Sense of the Treaty of Munster; so that he shall content himself with the Right of prefecture over the Ten Imperial Towns of the said Alsace, yet without extending the said Right to the prejudice of the prerogatives and Rights belonging to them in common with other Free Towns of the Empire; and he shall enjoy his said Right, together with the prerogatives, Revenues, and Demesnes, in such manner as his said Majesty ought to have enjoy'd them from the Time of the conclusion of the said Treaty, putting the Fortifications of the said Towns into the same Condition they were in at that time; excepting the Town of Landau, the possession and property of which shall belong for ever to his Imperial Majesty and the Empire, with power to demolish the said place, if the Emperor and Empire shall think fit.

11. In consequence of the said Treaty of Munster, his said most Christian Majesty shall within the time agreed cause to be demolish'd at his own expence, the fortified places he has at present on the Rhine between Basil and phillipsbourg, namely, Hunningen, New-Brisac and Fort Louis, with all the works belonging to the said Fort on each side of the Rhine, so that they may never be rebuilt hereafter.

12. That the Town and Castle of Reynfels, with their Dependancies, shall be possess'd by the Landgrave of Hesse-Cassel till it shall be agreed otherwise.

13. The Queen of Great Britain and the Lords the States General affirming, that the Clause inserted in the Fourth Article of the Treaty of Ryswick, relating to Religion, is contrary to the Tenour of the Peace of Munster, and consequently ought to be repeal'd; 'tis thought fit that this Affair shall be referr'd to the Negotiation of the General Peace.



14. As to Great Britain, his most Christian Majesty shall from this Time, and in the Negotiation of the Treaties of Peace to be made, acknowledge the Queen of Great Britain in that Quality.

15. His said Majesty shall also acknowledge the Succession of the Crown of Great Britain in the Protestant Line, as 'tis settled by Acts of the Parliament of Great Britain.

16. The most Christian King shall deliver up to the Crown of Great Britain what France possesses in the Island of Newfoundland; and on the part of the Queen of Great Britain, as well as on the Part of his most Christian Majesty, all the Countries, Islands, Forts, and Colonies, which have been possess'd by the Arms of either side during the present War, in what Part soever of the Indies situate, shall be mutually restor'd.

17. His said Majesty promises to cause all the Fortifications of the Town of Dunkirk, its Harbour and Rysbanks, with what belongs thereto, to be raz'd at his Expence, without Exception, so that one Half of the said Fortifications shall be raz'd, and one Half of the Harbour fill'd up, in the space of Months, and the other Half of the Fortifications shall be raz'd, as the other half of the Harbour fill'd up, in the space of Months more, to the satisfaction of the Queen of Great Britain, and of Lords, the States General of the United Provinces; nor shall it be permitted ever to rebuild the Fortifications, or make the Harbour navigable again, directly or indirectly.

18. The Person who pretends to be King of Great Britain having desir'd to depart the Kingdom of France, and so to prevent the Demand which the Queen of Great Britain and the British Nation have made, shall retire into such Country, and in such Manner, as by the next ensuing Treaty of a General Peace shall be agreed as to the Means of his retiring.

19. In the Principal Negotiation of the Treaties to be made, Care shall be taken to settle a Treaty of Commerce with Great Britain.

20. As to the King of Portugal, his most Christian Majesty shall consent, that he shall enjoy all the Advantages stipulated in his Favour by the Treaties made between him and the Allies.

21. His Majesty shall acknowledge the King of Prussia in that Quality, and promise not to disturb him in the Possession of the Principality of Neufchattel, and of the County of Valengin.

22. And as to the Lords, the States General, his Majesty shall yield and make over to them, in the most express Terms that shall be judg'd proper, the Place of Furnes, with its District, (the Fort of Knocque being therein included,) Menin with its Verge, Ypres with its Castellany and Dependancies, which from henceforward shall be Bailieu or Belle, Warneton, Comines, Werwick, Poperingen, and what depends on the Places abovemention'd, (the Town and Castellany of Cassel remaining to his most Christian Majesty, Lille with its Castellany, (the Town

and Government of Doway to be excepted,) Conde, and Maubeuge, with all their Dependancies; the whole in such Condition as the said Places are at present, and particularly with the Cannon Artillery, and Stores of War therein; to serve, with the rest of the Spanish Netherlands, for the Barrier of the said Lords the States General, upon which they may agree with the said King Charles according to the Tenour of the Grand Alliance, as well with Regard to the Garrisons which the said Lords the States-General shall maintain therein, as to all other Things in the Spanish Netherlands; and particularly as to their having in Propriety and Sovereignty the Upper Quarter of Gelderland, according to the 2d Article of the Treaty of Munster in the Year 1548, as from Time to Time they shall think fit. But 'tis understood, that if there is a general Magazine in Tournay, the Quantity and Quality of the Artillery and Ammunition to be left in the said Place, shall be agreed.

23. His most Christian Majesty shall also deliver up all the Towns, Forts, and Places, which he shall have possess'd himself of in the Spanish Netherlands in the Condition they are now in, with their Cannon, Artillery, and Warlike Stores. But 'tis understood that if since the Troops of the most Christian King enter'd Namure any Magazin has been erected, or Stores of Artillery and Ammunition laid up in that Town and Castle, more than for their Defence they shall be remov'd by the Officers of his most Christian Majesty in concert with those of the States-General at the time of the evacuation, which shall not on this account be regarded, but shall be done within the Time that shall be limited; the whole on this express condition, that the Roman Catholick Religion shall be maintain'd in all the said places to be deliver'd up, and in their Dependancies, in the same manner as 'tis now establish'd, except that the Garrisons of the States may exercise their own Religion as well in the places yielded, and made over for enlarging the Barrier as in the places of the Spanish Netherlands that are to be restor'd.

24. And to the End that this Agreement may have its full Effects, his most Majesty promises not to cause to be remov'd from this time any Cannon, Artillery, Ammunition out of the Towns and Forts which are to be restor'd and yielded up by Virtue of the Articles.

25. His Majesty shall grant to the said Lords the States General in relation to their Commerce, what is stipulated by the Treaty of Ryfwick, the Tarif (or Book of Rates) of 1664; the Suppression of the Tarifs made since, the Revocation of the Edicts, Declarations and Arrests posterior to them, contrary to the said Tarif of 1664; and also the Abolition of the Tarif made between France and the said Lords, the States-General, the 29th of May 1699; so that with respect to them, the Tarif of the Year 1664 only shall be in Force: And all Dutch Vessels Trading in the Ports of France, shall be exempted from paying the Tonnage Duty of 50 Sols per Ton.

26. After the Signing the Treaties of Peace his Majesty shall acknowledge the Ninth Electorate, erected in Favour of his Electoral Highness of Hannover.

27. The Duke of Savoy shall be reinstated in the Possession of the Ddchy of Savoy, the County of Nice, and of all other the Places and Countries hereditarily belonging to him, and of which his said Majesty shall have possess'd himself by his Arms during the Course of the present War, without any Reservation; his Majesty consenting besides, that his Royal Highness shall enjoy all the Countries, Territories and Places, which have been yielded and made over to him by the Emperor and his Allies.

28. That the King make over to the Duke of Savoy, the Propriety and Sovereignty of the Towns of Exilles, Fenestrelles, and Chaumont, now possess'd by the Arms of his Royal Highness; together with the Valley of Stgelas, and also whatsoever lies on this Side the Genevre, and other Mountains, so that from henceforward the said Mountains may serve for a Barrier and Limits between the Kingdom of France and the Principality of Piedmont.

29. As to the late Electors of Cologne and Bavaria, their Demands and Pretensions shall be referr'd to the Negotiation of the Treaties of Peace. And the Dispositions and Decrees of his Imperial Majesty and the Empire, made and issued during this War, shall be maintain'd with respect to his Electoral Highness Palatine, who shall remain in Possession of the Upper Palatinate, the County of Cham, and the Rank and Dignity with which he has been invested by his Imperial Majesty; as also with respect to what has been done in Favour of the Imperial Town of Donawert, and to several other Dispositions of that Nature. And for what relates to the Garrisons, which on the Part of the Lords the States-General may be placed in the Town of Huy, the Cittadel of Liege, and the Town of Bon, they shall remain there till an Agreement otherwise be made with his Imperial Majesty and the Empire.

30. And for removing all Doubts touching the Execution of the said Articles, and to hasten the Execution of them, upon which depends the Re-establishment of the General Tranquility, and of reciprocal Confidence and Amity between the Parties.

31. 'Tis agreed that the further Demands which the Emperor, the Queen of Great Britain, and the said Lords the States-General, may make in the Negotiation of the General Peace, as well as the most Christian King, shall not interrupt the Cessation of Arms which will be mentihned in a subsequent Article.

32. As for the Empire, the Four associated Circles, the King of Portugal, the King of Prussia, the Duke of Savoy, and other Allies, they shall be free to make in the said general Congress such Demands (besides what is above granted to them) as they shall think convenient.

33. The general Negotiation shall be finish'd, if possible, within Months, as is aforesaid.

34. And to the end the said Negotiation may be the better terminated within the space of the said Months, and that upon the Execution of the said Articles the Peace may immedi-

ately be made, 'tis agreed that there shall be a Cessation of Arms between the Armies of all the Parties who are at War, to commence every where assoon as the Conclusion of the said Articles shall come to the knowledge of the said Parties at present in War.

35. The most Christian King, to give Proofs of his Desire and Inclination to put a speedy end to this Bloody War, promises immediately after the Conclusion and Ratification of the said Articles, to evacuate as is above said in the Netherlands the Towns of Namur, and Charleroy, before the next; Luxembourg, Conde, and Maubeuge, within 15 Days after; and before the the Towns of Newport, Furnes, with Fort Knocque, and Ypres; and before the Expiration of those Months to raise and fill up (as is above stipulated) the Fortifications and Harbour of Dunkirk; the delivering up of Strasbourg and the Fort of Kehl being referr'd to the stipulations of the 8th Article.

36. His most Christian Majesty promises likewise, from the time of the said Conclusion, and before the Expiration of the Months after it, to execute all that has been formerly stipulated with respect to the other Allies.

37. And in Case the King of France executes all that is abovementioned, and that the whole Monarchy of Spain be deliv'd up and yielded to King Charles III. as is stipulated by these Articles within the limited Term, 'tis agreed that the Cessation of Arms between the Parties in War shall continue till the Conclusion and Ratification of the Treaties of Peace which are to be made.

38. All this shall serve for the Basis and Foundation of the Treaties of Peace to be made, which shall be drawn up in the most ample forms that have usually been observed in Treaties of Peace, with respect to Cessions, Successions, Renunciations, Dependencies and Appendages, Evacuation of Cannon, Artillery and Stores of War, Gallies, Crews serving in Gallies without cost and charges, and the like Things.

39. The Ratification of the Preliminary Articles above-specified, shall be finished and exchanged on the Part of the most Christian King, the Queen of Great Britain, and the Lords the States-General, before the next; on the Part of the Emperor by the following; and of the Empire as soon as possible: And upon the Delivery of the said Ratifications of the Queen of Great Britain, and the Lords the States-General, the Execution of what is stipulated touching the Evacuation of the Places which his most Christian Majesty is to restore and yield up in the Netherlands, as also touching the Demolition of the Town of Dunkirk, and the filling up of its Harbour, and every Thing granted to the said Potentates, shall immediately be set about and perform'd out of Hand: The like Execution shall take Place with respect to what is stipulated in Favour of the Emperor and King Charles III. after his Imperial Majesty's Ratification; and all that relates to the Empire shall be executed after the Ratification of the said Empire shall be exchanged: As to the other Allies, the Articles that concern them shall be executed after they have acquiesc'd with, sign'd, and ratified, the said Articles.

40. And to hasten the Conclusion of the Treaties of a General Peace, 'tis agreed, that on the of nevt the Congress shall begin in this Place of the Hague: And all Kings, Princes, and States, in the Alliance, and others, shall be invited to send hither their Ministers Plenipotentiaries: And to prevent all Difficulties and Disputes about the Ceremonial, and to forward as much as possible the Conclusion of the General Peace, those of the said Ministers who shall have the Character of Ambassadors, shall not declare it till the Day of Signing the Treaties of the said Peace.